

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

GREAT NORTHERN INSURANCE CO.  
As subrogee of Juan A. Rodriguez Vila and  
Iwalani Rodriguez

CIVIL NO. 11-1303 (DRD)

Plaintiff

Vs.

EL LEGADO PROPERTY MANAGEMENT  
COMPANY, INC.; EL LEGADO DE CHI CHI  
RODRIGUEZ GOLF RESORT, INC.;  
EL LEGADO DE CHI CHI RODRIGUEZ  
GOLF RESORT, (SC) SE; EL LEGADO  
HOMEOWNER'S ASSOCIATION, INC, and  
EL LEGADO CONDOMINIUM, REGIME I

Re: NEGLIGENCE, BREACH OF  
CONTRACT, & BREACH  
OF WARRANTY

Codefendants

---

**MOTION FOR EXTENSION OF TIME UNTIL 2/15/2012 TO ANSWER  
COMPLAINT OR OTHERWISE PLEAD; AND TO JOIN  
PLAINTIFF'S REQUEST FOR EXTENSION OF TIME (Docket No. 30)**

TO THE HONORABLE COURT:

COMES NOW REAL LEGACY ASSURANCE COMPANY, INC, through the  
undersigned counsel and without submitting to this Honorable Court's jurisdiction, respectfully  
set forth and pray:

1. Plaintiffs have filed a Motion For Additional Time (Docket No. 30), in which it  
basically informs this Honorable Court that it has requested Real Legacy Assurance Company  
information about coverage in relation to the entities named as defendants in the case at bar.

2. Real Legacy has performed a search in its Underwriting Department and the  
results are that none of the named codefendants are named in the policy issued by Real



2.

Legacy to el Legado Golf Resort. Furthermore, the policy issued by Real Legacy is addressed to cover only the operation of a Golf Driving Range, Golf Club, Restaurant and Golf Store.

3. Real Legacy will be sending plaintiff the Declaration Page of the Commercial General Liability Coverage, Policy No. CPP2304E, as soon as possible.

4. Plaintiff is suing for negligence, breach of contract, and breach of warranty, in relation to the security issues involved in the robbery perpetrated at Mr. Chi Chi Rodriguez personal home. The Homeowners Association is the entity in charge of recruiting and managing the security personnel and properly insure the El Legado Golf Resort against liability claims, like the one object of the instant case.

5. Plaintiff in its Motion For Additional Time requested a stay for 60 days, to clarify coverage as far as Real Legacy. It states:

“13. Plaintiff is therefore respectfully requesting that this matter be stayed for 60 days while plaintiff attempts to ascertain from Real Legacy Assurance Company whether there is insurance coverage available to Defendants El Legado for Plaintiff’s claims before proceeding with a motion for Default Judgment”.

(See Motion For Additional Time, at page 3, paragraph 13).

6. Real Legacy understands that it would be more pragmatic and of the essence to grant at least until 2/15/2012 for the parties to discuss the coverage issue, before having Real Legacy to embark in an unnecessary litigation. Real Legacy very respectfully understands that it is a very responsible way of dealing plaintiff with the coverage issue.

7. Otherwise, Real Legacy would then answer the complaint and/or file a motion to dismiss for lack of coverage.

8. Plaintiffs have provided Real Legacy with over 338 pages of documents related to the instant case, which the undersigned will be analyzing, after complying with the filing of a



3.

brief before the First Circuit, which is due on 1/30/2012.

9. Plaintiff's and Real Legacy's request for extension of time in no way will delay the proceedings in the case at bar.

WHEREFORE, it is respectfully requested from this Honorable Court, to grant plaintiff and Real Legacy until **2/15/2012** to discuss and clarify the coverage issue; and Real Legacy answer the complaint if finally necessary and/or otherwise plead.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 11<sup>th</sup> day of January, 2012.

S/ ERNESTO R. IRIZARRY

**ERNESTO R. IRIZARRY**

USDC-PR No. 126702

Attorney for

REAL LEGACY ASSURANCE COMPANY, INC.

**ERNESTO R. IRIZARRY**

**Attorneys At Law**

**Capital Center South Tower Suite 702**

P. O. Box 363331

San Juan, P. R. 00936-3331

Tel. (787) 771-0200

Fax (787) 767-0708

e-mail: [erilaw@prtc.net](mailto:erilaw@prtc.net) / [lawfirm@prtc.net](mailto:lawfirm@prtc.net)

<http://www.ernestoririzarryattorneys.com/>

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this same date a true and exact copy of the foregoing has been filed electronically with the Clerk of the Court via CM/ECF system which will send notification of such filing via e-mail to all the attorneys of record.

S/ ERNESTO R. IRIZARRY

**ERNESTO R. IRIZARRY**



